

Bao Tran

From: Apostolos Lerios [toli_lerios@hotmail.com]
Sent: Saturday, July 29, 2000 10:21 PM
To: Bao Tran
Cc: jmh@townsend.com
Subject: Re: Stock Certificates

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PATENT & TRADEMARK OFFICE E105

Thank you for clarifying, Bao. I cannot see any reason to tie stock certificates and patents either.

My current employer's legal assistants did OK me signing the patent this past week. So this won't be an issue if I choose, in the future, to support Align. However, my own legal help has yet to conclude her own research on my rights and responsibilities; and, following my advice, the Stanford patent office is still doing its own research regarding Stanford University's rights on the invention. Without these matters settled, even if I had no moral reservations on Align's motives (which, presently, I do have), it would not be prudent to sign any such documents.

So, Jim and Bao, please proceed on the assumption that I won't sign any documents. I will also document my refusal to sign via written communication to the PCT dept of the PTO, directly.

Finally, in the future, please contact me well ahead of time if there is to be the slightest hope of timely resolution; the argument that Align didn't have my contact information doesn't hold water given my regular exchanges via email with its top management and technical leads. Be it disorganization or, worse, last-minute pressure tactics both of which myself and other early Align participants consistently experienced while at Align --- neither demonstrate a professional attitude. Just to be clear, this is not a comment on your persons in the least; I respect you both, and I have experienced nothing but professionalism from you as individuals.

Sincerely,

Toli

----- Original Message -----

From: Bao Tran <bao@aligntech.com>
To: 'Apostolos Lerios' <toli_lerios@hotmail.com>; <jmh@townsend.com>
Sent: Friday, July 28, 2000 12:35 PM
Subject: RE: Stock Certificates

> I am not tying anything together. Your stock will issue to your charity
> regardless of your decision. However, I do hope that you save us needless
> legal expense to explain your refusal to sign when the whole thing is
> simply
> a continuation from the issued patent. Just like you say in the first
> email, why pay lawyers when reasons dictate otherwise.
>
> We are rapidly approaching the end of 6th month extension period and are
> in
> danger of losing the continuation due to lack of signature.
>

> Regardless, I will respect your decision. If I don't hear from you by
> Monday, I will request our outside lawyers to prepare an explanation to
the
> PTO as to how we try to reach you and failed to get a signature. Jim
Heslin
> will probably give you one more communication before he documents your
> refusal to sign.
>
> Have a good weekend